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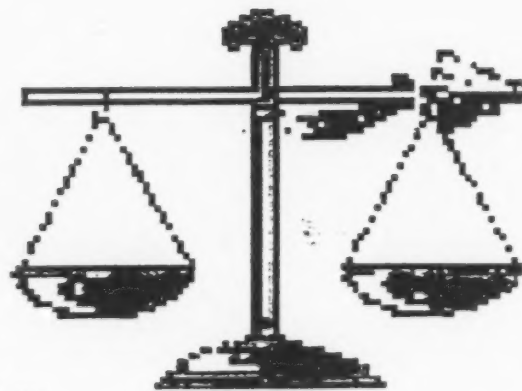
ABSTRACT

This document provides a layperson's introductory guide to researching primary legal materials, as well as using secondary research tools, in the Sarita Kenedy East Law Library at St. Mary's University (Texas). The guide includes the following sections: (1) Guide to Legal Abbreviations; (2) How To Find a Law Journal Article; (3) Legal Dictionaries and Encyclopedias; (4) Citing the Law; (5) Citations; (6) Double or Parallel Citations; (7) How To Find a U.S. Supreme Court Case; (8) How To Find a Federal Case; (9) How To Find a Federal Statute: Bills and Public Laws; (10) How To Find a Federal Statute: Federal Codes; (11) How To Find Regulations in the Federal Register; (12) How To Find Regulations in the Code of Federal Regulations; (13) How To Find a Texas Case; (14) How To Find Texas Statutes and Codes; (15) How To Find a Case from a State Other Than Texas; and (16) Texas Administrative Regulations. (MES)

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Sarita Kenedy East Law Library

A Layperson's Guide to Legal Research



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*A LAYPERSON'S GUIDE TO LEGAL RESEARCH
in the
SARITA KENEDY EAST LAW LIBRARY*

PREFACE

The following pages provide a layperson's introductory guide to researching primary legal materials - the law - as well as using secondary research tools in the Sarita Kenedy East Law Library. A map of the library and brief description of user services are also included. This title can be used in conjunction with the publication How to find Legal Sources in the Sarita Kenedy East Law Library.

For further assistance in legal research, please contact a librarian on duty.



A LAYPERSON'S GUIDE TO LEGAL RESEARCH NO. 1

Guide to Legal Abbreviations

To find what a legal abbreviation means, use *Bieber's Dictionary of Legal Abbreviations*. *Bieber's* gives you the full title of the legal publication. If your cite is for a case, it will be in one of the reporters. A list of the abbreviations for the major reporters is included here. If your cite is for a statute or code, it is assigned geographically by the government. The United States government and the state of Texas abbreviations are included here. If your cite is for a law journal article, the periodical indexes include an abbreviations list at the beginning of the volume. *Bieber's* includes abbreviations for major law reviews. Example:

- 1. Atlantic Reporter
- A.2d Atlantic Reporter, Second Series

These are some frequently used legal abbreviations:

- A.2d Atlantic Reporter, 2nd series
- Am.Jur. American Jurisprudence
- C.F.R. Code of Federal Regulations
- C.J.S. Corpus Juris Secundum
- 6. Federal Reporter - Federal Court of Appeals cases
- F.2d Federal Reporter, 2nd series - Federal Court of Appeals cases
- F.3d Federal Reporter, 3rd series - Federal Court of Appeals cases
- F.Supp. Federal Supplement - Federal District Court cases
- Fed. Reg. Federal Register
- L.Ed. United States Supreme Court Lawyers' Edition - Supreme Court cases

L.Ed.2d	United States Supreme Court Lawyers' Edition - 2 nd series - Supreme Court cases
N.E.2d	North Eastern Reporter, 2 nd series
N.W.2d	North Western Reporter, 2 nd series
P.2d	Pacific Reporter, 2 nd series
S.Ct.	Supreme Court Reporter - Supreme Court cases
S.E.2d	South Eastern Reporter, 2 nd series
So.2d	Southern Reporter, 2 nd series
Stat.	Statutes at Large
S.W.	South Western Reporter, 1 st series
S.W.2d	South Western Reporter, 2 nd series
Tex.	Texas Reports
T.A.C.	Texas Administrative Code
Tex.Reg.	Texas Register
U.S.	United States Reports - Supreme Court cases
U.S.C.	United States Code
U.S.C.A.	United States Code Annotated
U.S.C.S.	United States Code Service
USCCAN	United States Code Congressional & Administrative News
V.A.T.S.	Vernon's Annotated Texas Statutes
V.T.C.A.	Vernon's Texas Code Annotated

Some examples of law journal abbreviations are:

Harv. L.Rev. Harvard Law Review
 St. Mary's L.J. St. Mary's Law Journal

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How to Find a Law Journal Article

Subject, author, case name or statute can search most Law Journals in journal indexes. An index shows the name of the Law Journal, article title, author, page and date. The two major law journal indexes are: *Index to Legal Periodicals* and *Current Law Index*.

This is a sample index entry:

Sentencing - United States

Scarlet letters for corporations? Punishment by publicity under the New Sentencing Guidelines.

A. Cowan, student author. 65 S. Cal. L. Rev. 2387-420 Jl '92

Our example - 65 S. Cal. L. Rev. 2387-420 Jl '92 - refers to volume number 65 of the *Southern California Law Review*, pages 2387-2420, in the July 1992 issue. To find out if the library has the journal, look up the title on the Online Catalog. The location of all volumes is listed there.

65 S. Cal. L. Rev. 2387-420 Jl '92

65	Volume Number S. Cal. L.
Rev. Abbreviated Title	
2387-420	Page Numbers
Jl '92	Date of Issue

For online versions of the titles in this handout, see the *Legal Website Guide* by Lee Unterborn available from this library.

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Legal Dictionaries and Encyclopedias

LEGAL DICTIONARIES

Where do you find the meaning of legal terms? You can find the meaning of legal terms in a legal dictionary. Where do you find the correct terminology to use to locate material? You can find the correct terminology in a legal dictionary.

ONE-VOLUME LEGAL DICTIONARIES:

Black's Law Dictionary

Ballentine's Law Dictionary

Quick reference

Terminology to use in your research of a topic

MULTI-VOLUME LEGAL DICTIONARIES:

WORDS AND PHRASES

Defines words as used in court cases

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LEGAL ENCYCLOPEDIAS

Where do you find background information and landmark cases for your topic? You can find the background information and landmark cases for your topic in a legal encyclopedia. Where do you find source material already listed for you? You can find source material in the legal encyclopedia's article bibliography.

Guide to American Law

Easy to use

Useful for: Background information
 Identifying landmark cases
 Bibliographies of additional sources

American Jurisprudence 2d

Short summaries of cases and citations to cases

Corpus Juris Secundum

Short summaries of cases and citations to cases

Texas Jurisprudence 3d

Covers the state of Texas

Useful for review of local subjects such as oil and gas, or community property

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Citing the Law

Citation: "a reference as to a legal statute, a previous law case, or a written authority, as precedent or justification." (Webster's Third New World Dictionary, 3rd college ed., p. 256). Because of its complexity, the law in all its variations must be cited correctly in any written document.

How do you cite the law? A standard source for rules and examples is *The Bluebook: A Uniform System of Citation*, currently in its 17th edition.

EXAMPLE FROM BLUEBOOK - CASE REPORTER

Lane v. State, 364 N.E. 2d 756 (Ind. 1977).

Another source is *Bieber's Dictionary of Legal Citations*, now in its 5th edition. This edition gives additional examples of citations keyed to *The Bluebook*, 17th ed. rules.

EXAMPLE FROM BIEBER'S - CODE CITATION

TEX. PROP. CODE ANN. § 92.331 (West Supp. 1996)

A new source is *ALWD Citation Manual: A Professional System of Citation*. This has been very well received by the legal community.

EXAMPLE FROM *ALWD CITATION MANUAL* - PERIODICAL CITATION

L. Ray Patterson, *Legal Ethics and the Lawyer's Duty of Loyalty*, 29 Emory L.J. 909, 915 (1980).

The Complete Guide To Citing Government Information Resources : A Manual For Writers and Librarians by Diane L. Garner is also available.

EXAMPLE FROM *THE COMPLETE GUIDE TO CITING GOVERNMENT INFORMATION RESOURCES* - REPORT CITATION

U.S. House. Committee on the Judiciary. *Shipping Act of 1983* (H. Rpt.98-53, Pt. 2). Washington: Government Printing Office, 1983. (Y1.1/8:98-53/Pt.2).

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Citations

WHAT IS A CITATION?

Webster's definition of citation: "the act of citing a previously settled case or a recognized legal authority as support for a point of view or course of action; also: **the formal caption by which such a case is designated in citation.**" (Webster's 3rd New International Dictionary, p. 411)

Since each entity publishes its own laws and decisions, this makes it difficult to locate a specific law or decision. **Therefore, a citation is necessary to find the law.** A citation operates like an address, it gives you the physical address of the actual statute or decision in whatever set of volumes or electronic database it is published. A citation leads you to all of those places where the law or decision has been published. **A citation is the only way to find the law!**

The law is basically of two types: **statutory law** and **case law**. **Statutory law** consists of the laws, rules, and ordinances passed by a governing body such as the Texas State Legislature. **Case law** consists of decisions handed down by the courts as they hear cases. In our system, both statutory law and case law have equal validity and authority.

In addition, the law is both **jurisdictional** and **chronological**. **Jurisdiction** refers to the geographical entity or authority over which that statute or decision would apply. For example, any law passed by the United States Congress and signed by the President is law in this nation; any law passed by the legislature of the state of Texas applies within the state; any decision passed in Bexar County Court applies in Bexar County; and a decision by 5th Circuit Court of Appeals applies within the 5th Circuit's jurisdiction. Each one of these above examples demonstrates the varying levels of jurisdiction, be it national, state, county, or circuit. Each congressional or legislative body passes it's own laws and those laws are the law within the political boundaries of that geographical area.

Each court issues it's own decisions and that decision is law within the jurisdiction of that court. **Chronological** refers to the fact that the law is issued from the ruling body in the jurisdiction by date. This is the date the decision was issued from the court or the law was passed by the legislature and signed by the chief executive officer. The various legislative bodies issue statutory law periodically (i.e. any day they are in session). The courts issue case law or decisions periodically (i.e. any day they are in session). This also makes it difficult to locate. **Therefore, a citation is necessary to find the law.**

Initially, each entity publishes its own laws and decisions. This is because of its own sovereignty within its jurisdiction; and therefore this initial publishing of the law is very fragmented. These laws and decisions are then republished into collections of the law. Statutory law is republished in a federal or state compilation of laws and codes. Case law is republished in a federal reporter or a regional reporter. There is no single source to find the law. **Therefore, a citation is necessary to find the law.**

For example, Texas statutes are initially printed as session laws, then published in Vernon's Annotated Texas Statutes and Codes. As another example, Texas Supreme Court decisions are initially released as single case decisions. Those cases are then republished in the Southwestern Reporter, one of the regional reporters. Most decisions for state and federal courts are initially released as single case decisions, and then republished in a reporter for that court, then in a regional reporter. A citation leads you to all of those places where the law or decision has been published. A citation is the only way to find the law!

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Double or Parallel Citations

When a case has two or more citations, the term "parallel citation" is used. It is the same case which has been printed in two or more different reports. [*Black's Law Dictionary*, 6th ed.] When parallel citations are used, the first one listed is the official reporter.

EXAMPLE 1: SUPREME COURT CITATIONS

Agostini v. Felton, 521 U.S. 203, 138 L.Ed.2d 391, 117 S.Ct. 1997 (1997).

521 U.S. 203	Official reporter citation
138 L.Ed.2d 391	Second reporter citation
117 S.Ct. 1997	Third reporter citation

Notice that each separate citation is set off by commas.

Parallel citations are regularly found in United States Supreme Court case citations. *United States Reports* is the official case reporter for this court and must be the first citation. Since the Supreme Court is the highest court in the nation, its cases are also reported in several commercial reporters: *Supreme Court Reporter* published by West Publishing Co.; *Lawyer's Edition of Supreme Court Reports* published by Lawyers Co-Operative Publishing. Current cases are published by The Bureau of National Affairs in a periodical titled *United States Law Week*.

EXAMPLE 2: STATE AND REGIONAL REPORTER CITATIONS

Santisas v. Goodin, 17 Cal.4th 599, 71 Cal.Rptr.2d 830, 951 P.2d 399 (Cal. 1998)

17 Cal.4th 599	Official reporter citation	71
Cal.Rptr.2d 830	Second reporter citation	951
P.2d 399	Regional reporter citation	

Parallel citations are regularly found when a state has an official reporter and an unofficial reporter. It is found when a case which is reported in that state's reporter is deemed to be important enough to be published in the regional reporter. Every state is included in one of the regional reporters, which together are called the National Reporter System.

EXAMPLE 3: *NATIONAL REPORTER BLUE BOOK*

17 California Reports, Fourth Series	
Cal.4 th	Parallel
Page	Citation
599	17 Cal.Rptr.2d 830
	951 P.2d 399

Parallel citations are not necessary except when the particular court requires them. Parallel citations are often listed on the first page of a case and in *Shepard's*. If a parallel citation is needed, but not known, you can use the *National Reporter Blue Book* which will list it by the official citation. The names of the parties are not listed in the *National Reporter Blue Book*. The only access, therefore, is by citation.

Example 3 uses the same official citation as used in example 2. The *National Reporter Blue Book* uses the official citation as a heading, under which page numbers are listed. Locate the page number of your case and find that case's parallel citations.

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How to Find a U.S. Supreme Court Case

United States Supreme Court cases are published in three case reporters: *United States Reports*, an official reporter published by the United States government, and two commercially published reporters: *United States Supreme Court Reports, Lawyer's Edition* and *West's Supreme Court Reporter*. A citation to a Supreme Court case published in the *United States Reports* will look like this:

Pope v. State, 107 U.S. 1918 (1987)

Each part of the citation contains information about the case and helps the user locate it in the library as explained below:

Pope v. Illinois	Names of parties
107	Volume of case reporter
U.S.	Name of case reporter *
1918	Page in case reporter
(1987)	Date of decision

*For full title of case reporter see Abbreviations for Supreme Court Reporters, p. 3

Four methods of locating a Supreme Court case follow:

1. When you have a citation:
 - A. Analyze the citation as shown above.
 - B. Using the library's on-line catalog (Dynix), look up the case reporter using an "exact title" search, e.g., *United States Reports* to find its shelf location.
 - C. The case will be found on p. 1918 of volume 107 of *United States Reports*.
2. When you have only the names of the parties, e.g. Pope v. Illinois
 - A. Using the library's on-line catalog (Dynix), look up *West's United States Supreme Court Digest* or *United States Supreme Court Digest, Lawyer's Edition* to find its shelf location.

- B. Use the "Table of Cases" volumes of the digests to find the names of the parties.
 - C. The citation found there can be analyzed as shown above.
 - D. Using the library's on-line catalog look up the case reporter using an "exact title" search to find its shelf location.
 - E. At that shelf location you will find the volume of the reporter in which the case is located on the page indicated in the citation.
3. When you are looking for a case on a **particular subject** (see below for example)

- A. Using the library's on-line catalog (Dynix), look up *United States Supreme Court Digest** to find its shelf location.
- D. Use the "Descriptive Word Index" volumes of the Digest to find the desired subject. This shows the **topic** and **key number** which can be used to find citations to cases on the subject.
- E. The citation found there can be analyzed as shown above.
- D. Using the library's on-line catalog, look up the case reporter using an "exact title" search to find its shelf location.
- E. At that shelf location you can find the volume of the reporter in which the case is located on the page indicated in the citation.

**The United States Supreme Court Digest, Lawyer's Edition* can also be used to look up cases on a particular subject. It is structured somewhat differently from the *United States Supreme Court Digest* whose use is illustrated in the following example.

Follow these steps to find a case on the question "What role do community standards play in defining obscenity?"

Looking in the "Descriptive Word Index" of the *United States Supreme Court Digest* under **obscenity** you will find the phrase "**See, generally this index Lewdness or Obscenity.**" This directs you to the phrase "**Lewdness or Obscenity**" in the same index where as a subcategory you will find the phrase "**Standards for determining obscenity.**" There you are referred to **Obscen. 1-1.4**, that is to the volume of the *United States Supreme Court Digest* containing the topic "**Obscenity,**" **key number** or section **1-1.4**. There you will find a citation to a relevant case.

4. For recent Supreme Court cases not included in the reporters see *United States Law Week's* Supreme Court Section which includes the text of cases decided by the court during its current term.

Some suggestions for background and analysis of your case:

1. Read the opinion. A summary of the case at the beginning of the opinion often mentions the major points (topics) discussed in the case.
2. You may check the following sources which included discussions of selected United States Supreme Court cases:

Congressional Quarterly's Guide to the U.S. Supreme Court

Oxford Companion to the Supreme Court of the United States

Using the library's on-line catalog (Dyinx), look up the title using an "exact title" search to find an item's shelf location

3. Check the index volumes of the *United States Supreme Court Digest, Lawyer's Edition* under your topic. Annotations to in-depth articles often accompany opinions published in the *United States Supreme Court Reports, Lawyer's Edition*. These annotations may lead you to further information on your case.
4. For cases heard by the Supreme Court during the 1973/74 term and later, see *Preview of the United States Supreme Court Cases*. This source contains discussions of Supreme Court cases which were to be decided at the time.

Abbreviations for Supreme Court Reporters

L.Ed.	<i>United States Supreme Court Reports, Lawyer's Edition</i> - Supreme Court cases (to 1955)
L.Ed.2d	<i>United States Supreme Court Reports, Lawyer's Edition</i> - 2 nd series - Supreme Court cases (1956-)
S.Ct.	<i>Supreme Court Reporter</i> - Supreme Court cases (to 1988)
S.Ct.	<i>West's Supreme Court Reporter</i> - Supreme Court cases (1988-)
U.S.	<i>United States Reports</i> - Supreme Court cases

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How to Find a Federal Case

Selected Federal Court of Appeals cases are published in the *Federal Reporter* and selected Federal District Court cases are published in the *Federal Supplement* and *Federal Rules Decisions*. A citation to a Federal District Court case will look like this.

Benson v. Godinez, 919 F.Supp. 285 (N.D. Ill. 1996)

Each part of the citation contains information about the case and helps the user locate it in the library as explained below:

Benson v. Godinez	Names of parties
919	Volume of case reporter
F.Supp.	Name of case reporter *
285	Page in case reporter
(N.D. Ill.	Jurisdiction
1996)	Date of decision

*For full title of federal case reporters see Abbreviations for Federal Court Reporters, p.2

Three methods of locating a federal case follow:

1. When you have a citation:
 - A. Analyze the citation as show above.
 - B. Using the library's on-line catalog (Dynix), look up the case reporter using an "exact title" search to find its shelf location.
 - C. The case will be found on p. 285 of volume 919 of the *Federal Supplement*.
2. When you have only the **names of the parties**, e.g. Benson v. Godinez
 - A. Using the library's on-line catalog (Dynix), look up the appropriate federal digest (listed below) to find its shelf location.

Federal Digest - for cases prior to 1939

Modern Federal Practice Digest - for cases from 1939 to 1961

West's Federal Practice Digest 2d - for cases from 1961 to 1975

West's Federal Practice Digest 3d - for cases from 1975 to the mid-1980's

West's Federal Practice Digest 4th - for cases from the mid-1980's to the present

- B. Use the "Table of Cases" volumes and "Defendant-Plaintiff Table" volume to find the names of the parties.
 - C. The citation found there can be analyzed as shown above.
 - D. Using the library's on-line catalog, look up the reporter to find its shelf location.
 - E. At that shelf location you will find the volume of the reporter in which the case is located on the page indicated in the citation.
3. When you are looking for a Federal case by a **particular subject** (see below for example)
- A. Using the library's on-line catalog (Dynix), look up the appropriate federal digest (listed above) to find its shelf location.
 - B. Use the "Descriptive Word Index" volumes of the appropriate federal digest to find the topic for which you are searching.
 - C. The citation found there can be analyzed as shown above.
 - D. Using the library's on-line catalog, look up the reporter to find its shelf location.
 - E. At that shelf location you will find the volume of the reporter in which the case is located on the page indicated in the citation.

You are searching for a case on whether certain prison conditions violate the Eighth Amendment protection against cruel and unusual punishment in *West's Federal Practice Digest*.

Looking in the "Descriptive Word Index" of *West's Federal Practice Digest* under "**Prisons**" you will find the term "**conditions**" as a subcategory. There you are referred to **Prisons 17 (1-5)**, that is to the volume of the *West's Federal Practice Digest* containing the topic "**Prisons,**" **key number** or section 17 (1-5). There you will find a citation to a relevant case.

Abbreviations for Federal Reporters

F	Federal Reporter - Federal Court of Appeals cases
F.2d	Federal Reporter, 2nd series - Federal Court of Appeals cases
F.3d	Federal Reporter, 3rd series - Federal Court of Appeals cases
F.Supp.	Federal Supplement - Federal District Court cases
F.R.D.	Federal Rules Decisions

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How to Find a Federal Statute: Bills and Public Laws

When a bill becomes a law, it is published in a number of formats, the first being a slip law pamphlet. A citation to a public law in this format will look like this:

P.L.101-510

Each part of this citation contains useful information:

P.L.	Abbreviation for Public Law
101	Number of the Congress which passed the law
510	Number assigned to the law

Slip laws are available at the Circulation Desk. **Please ask librarian on duty for assistance.**

The slip laws are then published in the *United States Statutes at Large* in a chronological arrangement. A citation to a statute in this format will look like this:

104 Stat. 1467

Each part of this citation contains useful information:

104	Volume number
Stat.	Abbreviation of <i>Statutes at Large</i>
1467	Page number

1. When you have a older **citation** to the *Statutes at Large*:
 - A. Analyze the citation as above.

- B. Using the library's on-line catalog (Dynix), look up location of *Statutes at Large* using an "exact title" search.
 - C. The statute will be found in the volume marked 104, starting at page number 1467.
- 2. When you have a more recent citation to the *Statutes at Large*:
 - A. Analyze the citation as shown above in the *Statutes at Large* example.
 - B. Using the library's on-line catalog (Dynix), look up the location of *United States Code Congressional and Administrative News* (USCCAN).
 - C. Look up the volume that includes the needed *Statutes at Large* citation, e.g., 104 Stat. 1388 to 2398. The statute will be found on p.1467.
- 3. When you have only a **Public Law** number:
 - A. Analyze the citation as shown above in the Public Law example.
 - B. Using the library's on-line catalog (Dynix), look up the location of *United States Code Congressional and Administrative News* (USCCAN).
 - C. Look up the volume that includes the needed Public Law number, e.g., P.L. 101-508 to 101-548.
- 4. When you have a **Public Law number** or a *Statutes at Large* citation and need to find the corresponding section(s) in a federal statutory code:
 - A. Analyze the citation as shown in the examples above.
 - B. Using the library's on-line catalog (Dynix), look up the location of the *United States Code Annotated* (USCA) or the *United States Code Service* (USCS).
 - C. In both the USCA and USCS look in the "Tables" volumes containing the *Statutes at Large* table. The appropriate table in each set is arranged chronologically by Public Law numbers and *Statutes at Large* citations and can be used to find the corresponding sections in the codes. For further details on using the table, please consult a librarian.
- 5. When you are looking for a *Statutes at Large* citation by **popular name**:
 - A. Using the library's on-line catalog (Dynix), look up the USCA or USCS using an "exact title" search to find its shelf location.

- B. In the USCA, look up the popular name, e.g., Social Security Act, in the "General Index" volume containing the "Popular Name Table." In the USCS look in the "Tables" volume containing the "Popular Names Table." There you will find a citation to the *Statutes at Large*. Analyze the citation as illustrated above in the *Statutes at Large* example.
- C. The statute will be found in the designated volume, at the page indicated in the citation, e.g., volume **104**, page number **1467**.

6. When need the **status of a bill** from the current session of Congress:

Check the *Congressional Index* located at the Circulation Desk. This is a loose-leaf set which shows where a bill is currently in the legislative process. Subject and bill number indexes are included.

House and Senate bills for previous session of Congress are available on microfiche. Consult a librarian for assistance.

To find statutes once they are published in the federal codes, see the handout in this series titled "How to Find a Federal Statute: Federal Codes."

This handout is intended only as an introduction to this subject. For further assistance please consult a Librarian.

St. Mary's University Law Library
Produced by Garry Stillman 9/2000



How to Find a Federal Statute: Federal Codes

After a law appears in the *United States Statutes at Large*, it is published in a systematic subject arrangement known as the *United States Code* (USC). Federal statutes are also published in two other versions, the *United States Code Annotated* (USCA) and the *United States Code Service* (USCS). All three are arranged by the same title and section numbers, but the USCA and the USCS include additional features, such as notes to cases, and are published and supplemented more quickly than the USC.. *Please note: if you need the most current versions of the law use the USCA or the USCS.*

A citation to the *United States Code* will look like this:

10 U.S.C. 1161

Each part of the citation contains useful information:

10.	Title Number of Code Volume(s)
U.S.C.	Abbreviation of Code
1161	Section of Code

Three methods of locating a statute in the federal codes follow:

1. When you have a **citation**:
 - A. Analyze the citation as above.
 - B. Using the library's on-line catalog (Dynix), look up the code using an "exact title" search to find its shelf location.
 - C. The statute will be found in Title 10, Section 1161. If a title spans more than one volume, look for that volume which contains the appropriate section.
 - D. To identify additions or deletions, check the pocket part in the back of the book (if

there is one) or the pamphlet supplement shelved immediately following the bound volume.

- E. If using USCA, also check the *Statutory Supplement* pamphlets shelved at the end of the entire set. If using USCS, also check the *Cumulative Later Case and Statutory Service* pamphlet shelved at the end of the entire set and the table entitled "Table of Code Sections Added, Amended, Repeated, or Otherwise Affected" in the *USCS Advance* also shelved at the end of the entire set. **For further details on using the table, please consult a librarian.**
- F. If using either USCA or USCS, check table 3 in the latest *United States Congressional Code and Administrative News* softbound issue. **For further details on using the table, please consult a librarian.**

2. When you are looking for a statute on a particular subject:

- A. Using the library's on-line catalog (Dynix), look up the USCA or USCS using an "exact title" search to find its shelf location.
- B. Look up the subject, for example, occupational safety, in the "General Index" volumes of the respective code. There you will find a citation. Analyze the citation as illustrated above. Note: the symbol § means section and the symbol §§ means sections.
- C. The statute will be found in the title and section number given, e.g., Title 10, Section 1161. If a title spans more than one volume, look for that volume which contains the appropriate section.
- D. To identify additions or deletions, check the pocket part in the back of the book (if there is one) or the pamphlet supplement shelved immediately following the bound volume.
- E. If using USCA, also check the *Statutory Supplement* pamphlets shelved at the end of the entire set. If using USCS, also check the *Cumulative Later Case and Statutory Service* pamphlet shelved at the end of the entire set and the table entitled "Table of Code Sections Added, Amended, Repeated, or Otherwise Affected" in the *USCS Advance* also shelved at the end of the entire set. **For further details on using the table, please consult a librarian.**
- F. If using either USCA or USCS, check table 3 in the latest *United States Congressional Code and Administrative News* softbound issue. **For further details on using the table, please consult a librarian.**

3. When you are looking for a statute by **popular name**:
- A. Using the library's on-line catalog (Dynix), look up the USCA or USCS using an "exact title" search to find its shelf location.
 - B. In the USCA look up the popular name, e.g., Social Security Act, in the "General Index" volume containing the "Popular Name Table." In the USCS look in the "Tables" volume containing the "Popular Names Table." There you will find a citation. Analyze the citation as shown above. (Note: the symbol § means section and the symbol §§ means sections.)
 - C. The statute will be found in the title and section number given, e.g., Title **10**, Section **1161**. If a title spans more than one volume, look for that volume which contains the appropriate section.
 - D. To identify additions or deletions, check the pocket part in the back of the book (if there is one) or the pamphlet supplement shelved immediately following the bound volume.
 - E. If using USCA, also check the *Statutory Supplement* pamphlets shelved at the end of the entire set. If using USCS, also check the *Cumulative Later Case and Statutory Service* pamphlet shelved at the end of the entire set and the table entitled "Table of Code Sections Added, Amended, Repeated, or Otherwise Affected" in the *USCS Advance* also shelved at the end of the entire set. **For further details on using the table, please consult a librarian.**
 - F. If using either USCA or USCS, check table 3 in the latest *United States Congressional Code and Administrative News* softbound issue. **For further details on using the table, please consult a librarian.**

To find statutes before they are published in the federal codes, see the handout in this series titled "How to Find a Federal Statute: Bills and Public Laws."

This handout is intended only as an introduction to this subject. For further assistance please consult a Librarian.

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Produced by Garry Stillman 9/2000



A LAYPERSON'S GUIDE TO LEGAL RESEARCH NO. 11

How to Find Regulations in the Federal Register

Agencies of the Federal Government issue regulations and other important documents on a daily basis. These documents are later codified (i.e., arranged by subject) into the *Code of Federal Regulations* (CFR). However, it takes time to codify regulations. Therefore, the *Federal Register* is an excellent source to find recent agency information that has not yet been codified.

The *Federal Register*, published daily by the Federal Government, contains regulations, legal notices and other documents produced by federal agencies that are deemed important for public distribution. The *Federal Register* also includes Presidential Proclamations and Executive Orders.

1. When you have a citation:

- A. Identify the parts of the citation.

65	65 FR 41452
FR	Volume Number
41452	Abbreviation of Federal Register
	Page Number

- B. Find the appropriate volume number in the set of the *Federal Register* and locate the page number. (Caution: Page numbers are not listed on the outside cover of issues).

2. When you want to look up a document by agency:

- A. Look at the *Federal Register* Index which is arranged by the name of the agency.
- B. Find the entry you need in the index. Each entry has a number that corresponds to the page number where the document can be found in the *Federal Register* volume.

Engineer Corps	
RULES	
Administrative Appeals Process, 16486	
Engineer Corps	Agency
Rules	Sub-heading
Administrative Appeals Process	Document
16486	<i>Federal Register</i> page number

C. Find the appropriate volume number in the set of the *Federal Register* and locate the page number.

3. When you want to locate a document by subject:

A. Check the *CIS Federal Register Index*. Subject and name, CFR section number, and agency docket number arrange this index.

B. Find the entry you need in the index. The entry lists the date, type of document and the page number where the document can be found.

4. Find the appropriate issue by date in the set of the *Federal Register* and locate the page number.

Guanica Bay	
Navigable waters temporary regs: USCG (10/21/IR) 56082	
Guanica Bay	Subject/Name
Navigable waters temporary regs	Document Annotation
USCG	Issuing Agency
10/21	<i>Federal Register</i> Date
IR	Document Type
56082	<i>Federal Register</i> Page Number

This handout is intended only as an introduction to this subject. For further assistance, please consult a Librarian.

St. Mary's University Law Library
Produced by Steven Wise; Edited by Judy Garrison and Garry Stillman



A LAYPERSON'S GUIDE TO LEGAL RESEARCH NO. 12

How to Find Regulations in the Code of Federal Regulations

The *Code of Federal Regulations* (CFR) is a codified (i.e., arranged by subject) version of rules and regulations issued by Federal executive departments and agencies. These rules and regulations are a type of law that helps federal agencies implement laws passed by the U.S. Congress. The CFR is updated daily by the *Federal Register*.

1. When you have a citation:

- A. Identify the parts of the citation.

23 CFR-§620.202	
23	Title Number
CFR	Abbreviation for <i>Code of Federal Regulations</i>
§620.202	Part Number

- B. Go to the appropriate CFR title on the shelf.

- C. Find the appropriate part within the CFR title (Titles may have multiple volumes).

D. Go to the most recent volume in which your title would have been updated of *Latest Sections Affected* (LSA) to see if your regulation has been altered in some way since it was codified. There is no single annual issue but rather four annual issues based on the Title you are looking for:

<u>Annual issue for:</u>	<u>Located in:</u>
Title 1-16	December issue
Title 17-27	March issue
Title 28-41	June issue
Title 42-50	September issue

E. Look to see if your citation is listed in the LSA. If the citation is not listed, the regulation has not been changed. If the citation is listed, continue to step F such as illustrated in the next example.

620.202 Revised 71289	
620.202	Part Number
Revised	Type Of Change
71289	Federal Register Page Number

F. Make note of the page number. Go to *Table of Federal Register Issue Pages and Dates* at the end of the LSA and find your page number. This table tells you what date the change can be found in the Federal Register.

1999	
64 FR Page	
1-383.....	Jan. 4
385-729.....	5
731-983.....	6

2. When you have a subject:

- A. Look in the *Code of Federal Regulations* Index and find your subject and the accompanying citation.

Engineers Corps	
Administrative procedure, 33 CFR 209	
Engineer Corps	Subject
Administrative Procedure	Sub-heading
33 CFR 209	CFR Citation

- B. Continue with steps B through E on the first page of this pathfinder.

This handout is intended only as an introduction to this subject. For further assistance please consult a Librarian.

St. Mary's University Law Library
Produced by Steven Wise 9/2000; Edited by Judy Garrison and Garry Stillman



How to Find A Texas Case

Texas cases are published in both the *Southwestern Reporter* and *Texas Cases*. A citation to a Texas case published in either reporter will look like this:

Reasor v. State, 988 S.W. 2d 877 (Tex.App.-San Antonio 1999)

Each part of the citation contains information about the case and helps the user locate it in the library as explained below:

Reasor v. State	Names of parties
988	Volume of case reporter
S.W. 2d	Name of case reporter
877	Page in case reporter
(Tex.App.-San Antonio	Jurisdiction
1999)	Date of decision

Three methods of locating a Texas case follow:

1. When you have a citation:
 - A. Analyze the citation as shown above.
 - B. Using the library's on-line catalog (Dynix), look up the case reporter using an "exact title" search, e.g., *Southwestern Reporter, 2d series*, to find its shelf location
 - C. The case will be found on p. 877 of volume 988 of the *Southwestern Reporter, 2nd series*.
2. When you have the names of the parties, e.g. Reasor v. State
 - A. Using the library's on-line catalog (Dynix), look up the *Texas Digest* by using an "exact title" search to find its shelf location
 - B. Use the "Table of Cases" volumes to find the names of the parties.
 - C. The citation found there can be analyzed as shown above.

- D. Using the library's on-line catalog, look up the case reporter using an "exact title" search to find its shelf location.
 - E. At that shelf location you will find the volume of the reporter in which the case is located on the page indicated in the citation
3. When you are looking for a case on a **particular subject** (see below for example)
- A. Using the library's on-line catalog (Dynix), look up the *Texas Digest* by using an "exact title" search to find its shelf location.
 - B. Use the "Descriptive Word Index" volumes of the *Texas Digest* to find the desired subject. The Index shows the **topic** and **key number** which can be used to find citations to cases on any subject.
 - C. The citation found there can be analyzed as shown above.
 - D. Using the library's on-line catalog look up the case reporter using an "exact title" search to find its shelf location.
 - E. At that shelf location you can find the volume of the reporter in which the case is located on the page indicated in the citation.

Follow these steps to find a case on the question "How is a worker's compensation award for a burn computed?"

Looking in the "Descriptive Word Index" of the *Texas Digest* under **workers' compensation** you will find the phrase "**Burns, see this index Burns.**" This directs you to the term "**Burns**" in the same index where as a subcategory you will find the phrase "**workers' compensation**" and, below that "**Computation of award.**" There you are referred to **Work comp 893**, that is to the volume of the *Texas Digest* containing the topic "**Workers' compensation,**" **key number** or section 893. There you will find a citation to a relevant case.

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How to Find Texas Statutes and Codes

Texas laws are compiled in *Vernon's Texas Statutes and Codes Annotated*

Vernon's is arranged in three parts: **Constitution, Statutes and Codes**

Constitution and **statutes** are arranged in numerical sequence by article number,

Codes are arranged by subject

Some bound volumes are updated by pocket parts and/or special or supplementary pamphlets

Cumulative Interim Annotations Service pamphlets and *Vernon's Session Law Service*

Locating a constitutional article, statute or code section when you have a citation:

1. Identify whether the citation is to:
the **Constitution**, e.g. Const. Art. 1, § 19 [*Constitution, article 1, section 19*],
a **civil statute**, e.g. Civ. Stat. 179d) [*Civil Statute, article 179, section d*]
a **code**, e.g., Educ 38.001 [*Education code, section 38.001*]
2. Locate the constitutional article, statute or code in the bound volumes of the **Constitution**, the **Civil Statutes** or the appropriate code

Follow steps 3-6 to determine whether the constitutional article, statute or code has been updated:

3. Check the pocket part in back of the book (if there is one)
4. Check EITHER the special supplementary pamphlet (if there is one) OR the *Cumulative Interim Annotation Service* pamphlet (whichever is more recent)
5. Check Table 2 in *Vernon's Session Law Service* pamphlet
6. If found in Table 2, find update in *Vernon's Session Law Service* pamphlet

Locating a constitutional article, statute or code section on a particular subject, such as "drunk driving," or by a popular name, such as "Lemon Law"

1. For subject, look under subject heading in the "General Index" of *Vernon's Texas Statutes and Codes Annotated*; for popular name, check the "Popular Name Index" in the "General Index" of *Vernon's*
2. Identify whether the citation is to:
the **Constitution**, e.g. Const. Art. 1, § 19 [*Constitution, article 1, section 19*],
a **civil statute**, e.g. Civ. Stat. 179)d [*Civil Statute, article 179, section d*]
a **code**, e.g., Educ 38.001 [*Education code, section 38.001*]
3. Locate the constitutional article, statute or code in the bound volumes of the Constitution, the Civil Statutes or the appropriate code

Follow steps 4-7 to determine whether the constitutional article, statute or code has been updated:

4. Check the pocket part in back of the book (if there is one)
5. Check EITHER the special supplementary pamphlet (if there is one) OR the *Cumulative Interim Annotation Service* pamphlet (whichever is more recent)
6. Check Table 2 in *Vernon's Session Law Service* pamphlet
7. If found in Table 2, find update in *Vernon's Session Law Service* pamphlet

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How to Find a Case From a State Other Than Texas

Cases from states other than Texas can be found in regional case reporters. A citation to a case found in a regional reporter will look like this:

Wilmott v. Decker, 541 P.2d 13

Each part of the citation contains information about the case and helps the user locate it in the library as explained below:

Wilmott v. Decker	Names of parties
541	Volume of case reporter
P.2d	Name of case reporter *
13	Page in case reporter

*For full title of Case Reporters see Abbreviations for Regional Reporters, p. 3

Three methods of locating a case from a state other than Texas follow:

1. When you have a citation
 - A. Analyze the citation as shown above.
 - B. Using the library's on-line catalog (Dynix), look up the case reporter using an "exact title" search, e.g., *Pacific Report, 2nd series*, to find its shelf location.
 - C. The case will be found on p. 13 of volume 541 of the *Pacific Reporter, 2nd series*.
2. When you have only the **names of the parties**, e.g. Wilmott v. Decker
 - A. Choose one of the three options listed below:
 - i. If the state is included in a regional digest (see below), check for the names of the parties in the "Table of Cases" volumes of the appropriate Digest. Look under the names of both parties. Using the library's on-line catalog (Dynix), look up the digest using an "exact title" search to find its shelf location.

Regional Digest	States Included
<i>Atlantic Digest</i>	Connecticut, Delaware, Maine, Maryland, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Vermont
<i>North Western Digest</i>	Iowa, Michigan, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin
<i>Pacific Digest</i>	Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nevada, New Mexico, Oklahoma, Oregon, Utah, Washington, Wyoming
<i>South Eastern Digest</i>	Georgia, North Carolina, South Carolina, Virginia, West Virginia
<i>Southern Digest*</i>	Alabama, Florida, Louisiana, Mississippi

*The *Southern Digest* includes cases through 1988. For later cases for these states follow option iii below.

- ii For the following states, consult the "Table of Cases" volumes under the names of both parties in the individual state digests, for example, Indiana cases are included in the *Indiana Digest*.

Arkansas, Illinois, Indiana, Kentucky, Missouri, New York, Ohio, Tennessee, and Texas.

- iii. For all other cases or if the state is unknown, consult the "Table of Cases" volumes under the name of both parties in the *West's General Digest*.

- B. Use the "Table of Cases" volumes of the appropriate digest to find the names of the parties.
 - C. The citation found there can be analyzed as shown above.
 - D. Using the library's on-line catalog (Dynix), look up the reporter to find its shelf location.
 - E. At that shelf location you will find the volume of the reporter in which the case is located on the page indicated in the citation.
3. When you are looking for a case on a **particular subject** (see below for example)
- A. Using the library's on-line catalog (Dynix), look up the appropriate regional digest by using an "exact title" search to find its shelf location.
 - B. Use the "Descriptive Word Index" volumes of the Digest to find the desired subject. The Index shows the **topic** and **key number** which can be used to find citations to cases on any subject.
 - C. The citation found there can be analyzed as shown above.

- D. Using the library's on-line catalog (Dynix), look up the case reporter using an "exact title" search to find its shelf location.
- E. At that shelf location you can find the volume of the reporter in which the case is located on the page indicated in the citation.

Follow these steps to find a case on the question "Does an unwed father have visitation rights to his child?"

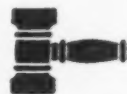
Looking in the "Descriptive Word Index" of the *Pacific Digest* under **children** you will find the phrase "**Children out-of-wedlock.**" There you will find the subcategory "**Visitation**" followed by the phrase "**Unwed father's right to.**" There you are referred to "**Child 20,**" that is to the volume of the *Pacific Digest* containing the topic "**Children out-of-wedlock,**" key number or section 20. There you will find a citation to a relevant case.

Abbreviations for Regional Reporters

A.	Atlantic Reporter
A.2d	Atlantic Reporter, 2 nd series
N.E.	North Eastern Reporter
N.E.2d	North Eastern Reporter, 2 nd series
N.W.	North Western Reporter
N.W.2d	North Western Reporter, 2 nd series
P.	Pacific Reporter
P.2d	Pacific Reporter, 2 nd series
S.E.	South Eastern Reporter
S.E.2d	South Eastern Reporter, 2 nd series
So.	Southern Reporter
So.2d	Southern Reporter, 2 nd series
S.W.	South Western Reporter
S.W.2d	South Western Reporter, 2 nd series
S.W.3d	South Western Reporter, 3 rd series

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A LAYPERSON'S GUIDE TO LEGAL RESEARCH NO. 16

Texas Administrative Regulations

Administrative law refers to a group of laws created by administrative agencies in rules, regulations, orders, and decisions to carry out their assigned duties and within the scope of their powers to do so. [*Black's Law Dictionary*, 6th ed., p. 46]

In Texas, these regulations are published in the *Texas Administrative Code* and the *Texas Register*. Both of these titles are available in this library and also at the Secretary of State's website at <http://www.sos.state.tx.us>.

The *Texas Administrative Code* (TAC) is published in 16 different numbered titles (see below). The title numbers are not consecutive, but the titles are arranged alphabetically. The TAC also includes an unnumbered index volume.

- | | |
|---------------------------|--|
| 1. Administration | 25. Health Services |
| 4. Agriculture | 28. Insurance |
| 7. Banking and Securities | 30. Environmental Quality |
| 10. Community Development | 31. Natural Resources and Conservation |
| 13. Cultural Resources | 34. Public Finance |
| 16. Economic Regulation | 37. Public Safety and Corrections |
| 19. Education | 40. Social Services and Assistance |
| 22. Examining Boards | 43. Transportation |

The subject index to the TAC lists the title number, then the section number.

Affidavits,

Campaign financing, reports, 1 § 20.25

In the above example, 1 is the title number and 20.25 is the chapter and subsection number. This regulation will be found in Title 1 (Administration), chapter 20, subsection 25.

The *Texas Register* is published weekly, 52 times a year. It contains Attorney General's opinions, rules, regulations, proposed regulations and withdrawn regulations. It also contains notices of open meetings and miscellaneous items required to be published by law. Both an annual and a quarterly index to the *Texas Register* are published. A cumulative "Table of TAC Titles Affected" is published in its blue-cover quarterly index. An example from the "Table" follows.

TITLE 40. SOCIAL SERVICES AND ASSISTANCE	
Part I. Texas Department of Human Services	
40 TAC § 3.704	950,1820

Title 40. Social Services and Assistance	Title of the volume
Part I. Texas Dept. of Human Services	Subtitle of the volume 40
Title number	
TAC	Texas Administrative Code
3	Chapter 3
704	Section 704
950; 1820	Texas Register pages

Material is found using the *Texas Register* indexes or the TAC number. On the bottom of each page is found the volume and page number as it should be cited. The issue date is also located there. As with many serial titles, the pages are serially published. For example, the Dec. 24, 1999 issue has pages 11605-11825, while the Dec. 31, 1999 issue has pages 11827-11976.

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